

NOTE: ANYONE REQUESTING INTERPRETIVE SERVICES FOR THE HEARING IMPAIRED MUST NOTIFY THE TOWN CLERK'S OFFICE AT 253-7000, 72 HOURS IN ADVANCE OF THE MEETING DATE AND ANYONE REQUESTING ASSISTIVE LISTENING DEVICES OR WISHING TO SPEAK ON A MATTER DESIGNATED "CA" (CONSENT AGENDA) ON THE COUNCIL DOCKET MUST NOTIFY THE COUNCIL CLERK PRIOR TO THE COMMENCEMENT OF THE MEETING.

DATE: August 18, 2010 TIME: 7:00 PM

TOWN HALL - COUNCIL CHAMBERS

PRESENT:

MEETING DATES: August 16, 2010 - Special Town Council
Meeting re workshop with Historic
District Commission
September 14, 2010 - Primary Day
September 15, 2010 - Town Council Meeting
September 29, 2010 - Town Council Meeting

Report: Gary Puryear, Base Transition Coordinator re
the Quinta-Gamelin Center

Special Announcement re Conveyance of Riparian Rights
by Robin Industries, Inc.

MOTION RE: CONSENT AGENDA - TO APPROVE THE CONSENT AGENDA

A. SUBMISSION OF MINUTES OF PREVIOUS MEETING(S)

1. Town Council Meeting - July 28, 2010
(preliminary - action items only)

(CA) AA. SUBMISSION OF MINUTES-Boards and Commissions

**Approval of consent agenda="Motion to receive and place
these items on file."**

1. Mosaico CDC Board of Directors - March 9,
2010

2. Mosaico CDC Board of Directors - April 15, 2010
3. Mosaico CDC Board of Directors - May 21, 2010
4. Mosaico CDC Board of Directors - June 18, 2010
5. Harbor Commission - July 12, 2010
6. Substance Abuse Prevention Task Force - June 21, 2010
7. Historic District Commission - July 1, 2010
8. Harbor Commission - August 2, 2010
9. Noise Study Committee - May 11, 2010
10. Bristol County Water Authority Board of Directors - July 14, 2010
11. Bristol County Water Authority Audit Finance Committee - August 4, 2010
12. Bristol County Water Authority Engineering Committee - August 4, 2010
13. Bristol County Water Authority Public Relations/Personnel Committee - August 4, 2010

B. OLD BUSINESS

1. Domenic Raiola, 45 Shore Road re flooding from recent storm, **continued from July 28, 2010**
2. Council Chairman Marshall - request for consideration of draft RFP for Performance Audit of the Bristol County Water Authority (with CDM's final report re evaluation of BCWA) and to schedule a Tri-Town workshop, **continued from July 28, 2010**
3. Ardy Jagne, d/b/a My Shisha Cafe, 261 Wood Street - request for a Victualling License, **continued from July 28, 2010**

- a. Sebastian J. Wordwell of Can Corporation, 261 Wood Street re agreement with petitioner approving use of space
4. Michael Gerhardt, Interim Executive Director, Mount Hope Trust in Bristol re request for approval of proposed revisions to Articles III and IV of the Mount Hope Trust Bylaws
5. Anthony DeSisto, Esq. re supplemental invoice for services provided concerning Mount Hope Trust loan agreement
6. Council Clerk Cirillo re LNG Matching funds to Save the Bay
7. Director of Community Development Williamson re "white paper" concerning conservation easements for Mount Hope Trust properties
8. Town Solicitor Ursillo re legal opinion concerning the request to allow the operation of a "mobile catering truck" by Joyce A. Walker, 235 School Street, Westminster, Vermont

BB. SPECIAL /STATUS REPORTS

C. PUBLIC HEARINGS

1. Ordinance #2010-03, CHAPTER 28, Zoning, Articles I through XI, Divisions 1 through 6, Sections 28-1 through 28-411, (various amendments to the Zoning Ordinance), **2nd reading for adoption (continued from July 28, 2010 concerning only proposed Section 28-150 (j), Special use standards for wind energy conversion systems)**

D. ORDINANCES

1. Ordinance #2010-03, CHAPTER 28, Zoning, Articles I through XI, Divisions 1 through 6, Sections 28-1 through 28-411, (various amendments to the Zoning Ordinance), **2nd reading for adoption (continued from July 7, 2010 concerning only proposed Section 28-150**

(j), Special use standards for wind energy conversion systems) (see item C1 also)

2. Ordinance #2010-13, CHAPTER 16, Motor Vehicles and Traffic, Article V, Stopping, Standing and Parking, Section 16-143, Parking prohibited at all times, (remove no parking areas on High Street at Reynolds and Byfield schools), **2nd reading for adoption**
3. Ordinance #2010-14, CHAPTER 8, Boats, Docks and Waterways, Article II, Harbor Regulations, Section 8-69, Permitting of outhauls, **1st reading**
4. Ordinance #2010-15, CHAPTER 16, Motor Vehicles and Traffic, Article V, Stopping, Standing and Parking, Section 16-146, Parking time limited in designated places, (Franklin Street), **1st reading**
5. Ordinance #2010-16, CHAPTER 16, Motor Vehicles and Traffic, Article V, Stopping, Standing and Parking, Section 16-35, Designated residential parking streets, (State Street and Wood Street) **1st reading**

(CA) E. BUDGET ADJUSTMENTS

Approval of consent agenda="Motion to approve these adjustments."

1. Tax Assessor Spagnolo - Recommended Abatelements & Additions for August, 2010

(CA) F. APPOINTMENTS

Approval of consent agenda="Motion to approve advertising these Appointments."

1. Public Service Appointments
 - a. Harbor Commission Advisory Committee (3) (terms to expire August, 2013)
 1. Richard Scott Medeiros, 8 Herzig Street - interest/reappointment

2. Robert S. Hamel, 859 Hope Street -
interest/reappointment

b. Post Retirement Benefits Fund - Board of
Trustees (2) (term to expire August,
2013 & to fill vacancy, term to expire
August, 2011)

1. Jeffrey Luiz, 7 Tobin Lane -
interest/reappointment

(CA) 2. Public Service Appointments for September

G. LICENSING BOARD - NEW PETITIONS

1. Ardy Jagne, d/b/a My Shisha, 261 Wood Street
- request for a Victualling License,
continued from July 28, 2010 (see item B3
also)

a. Sebastian J. Wordwell of Can
Corporation, 261 Wood Street re
agreement with petitioner approving use
of space

2. Michael Ferreira, d/b/a Gillary's Tavern, 198
Thames Street - request for a One-Day Sunday
Dancing and Entertainment License on
September 5, 2010

a. Recommendation - Town Administrator and
Police Chief

3. Michael Ferreira, d/b/a Gillary's Tavern, 198
Thames Street -request for a One-Day Sunday
Dancing and Entertainment License on October
10, 2010

a. Recommendation - Town Administrator and
Police Chief

4. Jodi Leffingwell, President, East Bay Food
Pantry, Inc., 150 Franklin Street - request
for a One-Day Sunday Dancing and
Entertainment License on September 12, 2010
(event to be held at the Herreshoff Marine
Museum Tent)

a. Recommendation - Town Administrator and
Police Chief

5. Geoffrey C. Morin, d/b/a Bristol Total Fitness, 685 Metacom Avenue - request for a Victualling License
 - a. Recommendation - Water Pollution Control Facility
 - b. Recommendation - Town Administrator and Fire Chief

H. LICENSING BOARD - RENEWALS

1. Rebecca Hanos, 7 Gorham Place, d/b/a Just Dogs - review of Hawkers and Peddlers License (allowing petitioner to sell at the "Concerts on the Common" and "Last Night" events)

(CA) I. UTILITY PETITIONS

Approval of consent agenda="Motion to approve these petitions."

1. DPW - Road Cut Permits

J. PETITIONS - OTHER

1. Manuel Metz, 13 Vantage Point Drive (to Town Treasurer Goucher) re claim for property damage
2. Raymond F. Brierly, d/b/a Bristol Kayak Center, 251 Thames Street - request for permission to park a storage trailer adjacent to the State Street boat ramp from April 1st through October 31st
3. William E. Hill for Bristol County Elks Lodge #1860, 1 Constitution Street - request for consideration to have the Historic District Commission's assessed fine rescinded
4. Albert Vitorino, 38 Congregational Street - request to prohibit parking across from the driveway opening at 38 Congregational Street
 - a. Recommendation - Town Administrator and Director of Public Works

5. Mark Alano, DC, 450 Hope Street - request for a grant of tax stabilization re property known as "The Rescue Station," 349 High Street, Plat 13, Lot 1
6. Lois A. Castigliero Ferreira, 53 Sowams Drive - request for consideration to amend ordinance re maintenance of property
7. Manuel Alves, III, 8 Mason Avenue re request for consideration concerning speeding on Mason Avenue and Mt. Hope Avenue, incorrect GPS mapping, and the initiation of a program to provide "safety shirts" for senior citizens

K. OTHER NEW BUSINESS REQUIRING TOWN COUNCIL ACTION

1. Town Administrator Mederos re award of Non-Utility Scale Renewable Energy Program grant for the purpose of installing solar panels at the compost facility
2. Town Treasurer Goucher re Reimbursement Resolution for Animal Shelter
 - a. (Sandra Matrone Mack, Bond Counsel) Reimbursement Resolution for Animal Shelter
3. Town Administrator Mederos re Department of Transportation TIGER II Discretionary Grant Program
4. Chairman Marshall - request to schedule and invite the public to a ribbon cutting ceremony for the new Rescue and Department Headquarters
5. Chairman Marshall re issues of smoking at the playground on the Town Common

L. BILLS & EXPENDITURES

1. Bid #700 - Phase III Cleaning and CCTV Inspection of Gravity Sewer
2. RFP #701 - Engineering Consultant Services for Animal Shelter Site Evaluation

(CA) M. ROUTINE REPORTS

(CA) N. FINANCIAL REPORTS

Approval of consent agenda="Motion to receive and place this item on file."

1. (Town Treasurer Goucher) re Revenue and Expenditure Statement, August 12, 2010

P. PROCLAMATIONS & CITATIONS

1. Proclamation - John M. Day, Town Treasurer

(CA) R. DISTRIBUTIONS/COMMUNICATIONS (to be received and filed by Council)

Approval of consent agenda="Motion to receive and place these items on file."

1. Town Administrator Mederos to William R. Van Voast, Van's Electric Inc. re award of Bid #676 - Renovations to 9 Court Street, Electrical
2. Town Administrator Mederos to Charles Patterson, Century Sheet Metal, Inc. re award of Bid #676 - Renovations to 9 Court Street, HVAC
3. Contract Agreement between the Town of Bristol and Paramedic Systems, Inc.
4. Purchase and Sale Agreement between the Town of Bristol and Mark V. Alano, DC
5. Mosaico CDC News - July 26, 2010
6. Borrowing Resolution re Community Septic System Loan Program (signed copy)
7. Resolution re Community Septic System Loan Program (signed copy)
8. Resolution re Natural Hazard Mitigation Plan (signed copy)

9. Updated 2010 Dock Slip & Mooring Field Waiting List submitted by the Harbor Master's Office, posted July 30, 2010
10. Vincent J. Palumbo, P.E., Managing Engineer, RI Department of Transportation to Town Administrator Mederos re Authorization to advertise for construction of the Federal/State Roadway Investment Local Equity Aid Program (RI-LEAP) funded project
11. W. Lincoln Mossop, Jr., Barrett & Company to Council Clerk Cirillo re key-note address given at War of Independence Monument dedication on July 4, 2010
12. Town Treasurer Goucher to Cathleen Balbato, 17 Sowamsett Avenue, Warren re denial of claim
13. Town Solicitor Ursillo to Russ Godwin, RI Interlocal Risk Management Trust re referral of property damage claim from Patrick and Lynn Shaw of 12 Carol Avenue
14. Warrant - Victor Cabral, Historic District Commission (Auxiliary Member)
15. Colleen M. Bodziony, Membership Service Manager, RI Interlocal Risk Management Trust re 2009 Annual Report, "It's All In Our Name"
16. F1 Intoxicating Beverage License granted to East Bay Food Pantry, Inc., 150 Franklin Street for a Fundraising Event to be held at the Herreshoff Marine Museum Tent on September 12, 2010
17. Warrant - Sara Butler, Historic District Commission
18. Michael Schnack, President, Jamestown Town Council - invitation to a Congress of Councils re opposition to proposed LNG site on September 8, 2010
19. Cheryl A. Fernstrom, CMC, Jamestown Town Clerk re press release of the Jamestown LNG Threat Committee concerning correspondence

received from counsel representing Weaver's Cove Energy

20. Elizabeth Raky, Ph.D., 457 Ten Rod Road, North Kingstown re support of LNG WG Resolution and opposition to recent advisory of Jamestown Town Council
 - a. Elizabeth Raky, Ph.D. re supplemental correspondence
21. Stephen G. Bernardo, 4 Wood Street to Town Administrator Mederos re request for consideration concerning potential open space acquisition of Plant Avenue, Plat 161, Lot 8
22. Harbor and Marine Rights Bargain and Sale Deed between Robin Industries, Inc. and Town of Bristol

(CA) RR. DISTRIBUTIONS/NOTICE OF MEETINGS
(office copy only)

Approval of consent agenda="Motion to receive and place these items on file."

1. Harbor Commission - August 2, 2010
2. Bristol County Water Authority Audit Finance Committee - August 4, 2010
3. Bristol County Water Authority Engineering Committee - August 4, 2010
4. Bristol County Water Authority Public Relations/Personnel Committee - August 4, 2010
5. Bristol County Water Authority Board of Directors - August 11, 2010
6. Bristol Warren Regional School District - Schedule of Meetings, Week of August 2, 2010
7. Bristol Warren Regional School District - Schedule of Meetings, Week of August 9, 2010
8. Animal Shelter Capital Project Committee - August 19, 2010

9. (Bristol Warren Regional School Committee)
Personnel/Contract negotiation Subcommittee -
August 13, 2010
10. Bristol County Water Authority - September
2010 Meetings

S. TOWN SOLICITOR

Z. INDIVIDUAL COUNCIL MEMBERS AGENDA ITEMS

1. MARSHALL
2. CORDEIRO
3. PARELLA
4. BARBOZA
5. HERRESHOFF

ZZ. TOWN ADMINISTRATOR AGENDA ITEM(S)

CITIZENS PUBLIC FORUM

ADJOURNED: _____

:jmw